

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

January 23, 2017

In the Matter of

Schools and Libraries Universal Service  
Support Mechanism

Request for Review of a decision by USAC – Schools and Libraries Division/Request for  
Waiver of USAC's deadline for the FCC Form 486

Richard Wright Public Charter School for Journalism and Media Arts

Schools and Libraries Program: CC Docket No. 02-6

**FCC Request for Review and Waiver**

**Applicant Name:** Richard Wright Public Charter School for Journalism and Media Arts

**Applicant BEN:** 16063886

**Service Provider:** Building Hope

**SPIN:** 143032132

**Application Number:** 856403

**FRN:** 2329754

**Form 486 #** 1197452

**Submitted by:**

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### Introduction

This is a request for the review of the decision by the Universal Service Administrative Company (USAC) Schools and Libraries Division and a request for the FCC to waive USAC's deadline for the FCC Form 486 for the above application and associated FRN. The service start date was changed and the amount of funding was reduced because the school filed their Form 486 late. The FCC Form 486 was not filed within 120 days. However, we hope that you will find adequate reasoning to waive this deadline. Richard Wright Public Charter School for Journalism and Media Arts respectfully requests that the FCC consider a Form 486 deadline waiver for the reasons explained below.

### Argument

The school does not argue with the fact that the 486 was filed outside the window. The school argues that it was out of their control. As you can see this FRN was for funding year 2012. However, the Funding Commitment Decision Letter was not issued until 4/17/15. This is 3 years and 1 month after the application was filed. During that time period the school had many turnovers of their staff. The staff person who was managing the E-Rate process for Richard Wright Public Charter School for Journalism and Media Arts left shortly after the application was filed, and well before the application was approved. It was not until their current Chief Operating Officer (COO) took over that this issue was brought to light. As soon as this issue was discovered, the COO submitted the Form 486. Richard Wright Public Charter School for Journalism and Media staff never received the FCC Form 486 Urgent Reminder Letter because it was addressed to the staff person who left so they weren't alerted to the fact that the Form 486 was late until the new COO discovered the issue.

The school doesn't argue that they missed the deadline but they do argue that there is no waste, fraud or abuse and ask that the service start date be reset to July 1, 2012 so that the school can collect the funds that have already been committed and that they have paid for in full.

We believe that this request follows the precedent set by the order, [DA 16-1205](#), Requests for Waiver of Decisions of the Universal Service Administrator by Archdiocese of New Orleans, Louisiana et al., File Nos. SLD-894989, 922278 et al. where the FCC granted appeals for 69 applicants whose funding had been reduced as the result of late-filed Form 486s. This order states "In the interest of fairness, we will continue to apply the current Alaska Gateway Order-based standard to appeals filed with USAC or the Commission before January 30, 2017".

We believe that this appeal meets the current Alaska Gateway Order-based standard and follows the precedent set by the Alaska Gateway School District Tok, AK, et al., File Nos. SLD-412028, et al. where the FCC granted 128 appeals of decisions by USAC reducing or denying funding from schools and libraries for various funding years because they did not timely file 486s. As with many of those cases, Richard Wright Public

Charter School for Journalism and Media Arts's "failure to timely file was the result of staff confusion or mistake, or circumstances beyond the applicant's control".

Just like in the cases in the above referenced Orders, Richard Wright Public Charter School for Journalism and Media Arts missed a USAC procedural deadline but did not violate a Commission rule. Therefore, we do not believe that a complete rejection is warranted. We respectfully request that the FCC overturn USAC's denial and waive the Form 486 deadline so that the Service Start Date is restored to the original requested Service Start Date of 07/01/2012 so that the school can take advantage of the funding they were awarded.

We respectfully request that the FCC review this request and grant relief to Richard Wright Public Charter School for Journalism and Media Arts from the Form 486 deadline.

If you have any questions or need additional information please let me know.

Thank you,

Ben Sniecinski